

In re Application of: Eliyahu MARMOR
Serial No.: 10/574,759
Filed: April 3, 2006
Final Office Action Mailing Date: July 19, 2010

Examiner: Yves DALENCOURT
Group Art Unit: 2457
Attorney Docket: **36221**
Confirmation No.: 2224

REMARKS

Reconsideration of the above-identified application in view of the amendments above and the remarks following is respectfully requested.

Claims 1-55 are in this Application. Claims 43-47 have been withdrawn from consideration. Claims 1-24, 31, 35-40 and 48-54 have been rejected under 35 U.S.C. § 102. Claims 25-30 and 41-42 have been rejected under 35 U.S.C. § 103. Claims 33-34 have been canceled in a previous response. Claims 7 and 51 have been canceled herewith. Claims 1, 8, 10-13, 19, 20, 22, 23, 29, 31, 32, 35, 40 and 55 have been amended herewith. New claims 56-58 have been added herewith.

Amendments To The Claims

New Claims

As described in Applicant's specification (see, e.g., ¶[0009], [0012], [0086] and Figs. 4A-4C), new claim 56 recites the locally editing of the electronic visual content comprises defining changes to be applied to the content.

New claim 57 recites the defined changes to comprise at least one of the options describes in paragraphs [0086]-[0093] in Applicant's specification.

New claim 58 recites the locally editing of the electronic visual content comprises defining transformations to be applied to the content when accessed by a user (see, e.g., [0064], [0118]).

No new matter is added in the new claims 56-58.

35 U.S.C. § 102 Rejections

Claims 1-24, 31, 35-40 and 48-54 have been rejected under 35 U.S.C. 102(b) as being anticipated by *Wies* et al., (US 6,161,126, hereinafter "*Wies*").

According to MPEP § 2131 "*A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a*

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single prior art reference." (see *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)).

Applicant contends that the paragraphs of *Wies* which are cited by the Examiner fail to disclose features (c) and (d) of previously presented claim 1. In particular, with regard to feature (c) which recites in part "*automatically generating at least one customization definition...*", the Examiner cited the following paragraphs in the *Wies* patent (Office Action page 6):

Col. 3, lines 35-64, which describes provision of authored force effects downloaded with a web page; and

Col. 35 lines 1-26, which refers to an identifier added to the authored web page for indicating the web page supports force-feedback peripherals.

These paragraphs teach that authored force effects are included in the downloaded web pages. Applicant did not find express or inherent description of automatically generating customization definitions, as recited, explicitly, in feature (c) of previously presented claim 1.

With regard to feature (d) in previously presented claim 1, which recites in part "*...modifying data provided at a later time according to the at least one customization definition...*", the Examiner cited the following paragraphs in the *Wies* patent (Office Action page 6):

Col. 31, lines 24-42, which relates to the HTTP editor being a WYSIWYG and WYSIWYF editor allowing end users to customize authored web pages; and

Col. 42 lines 44-59, which refers to the end users being able to customize existing web pages to suit their preferences by means of the editor.

In both paragraphs, customizations are carried out by the end users to suit their preferences. Applicant did not find in these paragraphs express or inherent teaching of modifying data according to automatically generated customization definitions, as recited in step (d) of previously presented claim 1.

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In view of the above, Applicant respectfully submits that *Wies* fails to teach *each and every element as set forth in* previously presented claim 1.

However, in order to expedite the examination, Applicant has amended, *without prejudice*, independent claim 1. Amended claim 1 recites:

"A method of defining customization for electronic visual content retrieved over an electronic connection, comprising:

(a) retrieving electronic visual content from a remote server to a local client, through an intermediary apparatus;

(b) locally editing the electronic visual content at the local client by a user using a WYSIWYG editor, wherein said editor is a standard software used for displaying of content and wherein said editing does not require installation of software requiring user authorization and does not change content stored in said remote server;

(c) detecting changes in said electronic visual content caused by said editing, after said editing is preformed;

(d) automatically generating at least one customization definition based on said changes, said customization definition suitable for automatic applying to said electronic visual content; and

(e) modifying by said intermediary apparatus data provided at a later time according to the at least one customization definition for a visual presentation thereof at a plurality of local clients to a plurality of end users;

wherein the intermediary apparatus supports the editing of said electronic visual content at the local client." (underlining added herein by the Applicant)

Basis for added feature (c) is found in paragraphs [0009], [0029], [0101], [0139] of the present application;

Basis for the amendments made to feature (d) are found in paragraphs [0009], [0015], [0086] of the present application; and

Basis for the amendments made to feature (e) are found in paragraphs [0080], [0083], [0114] and Figs. 2 and 4A-4C of the present application.

No new matter is added by the present amendments.

None of the prior art references cited by the Examiner teaches or suggests the features added to amended claim 1. *Wies* describes webpage authoring platform for adding tactile sensations to webpages (see, e.g., Col. 4 lines 23-49). *Wies* does not teach or imply determining changes carried out during editing of electronic content.

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Moreover, *Wies* does not teach automatic generation of customization definitions based on changes detected in edited electronic content.

In the present application the modifications are applied to visual content based on customization definitions. *Wies*, on the other hand, only teaches adding tactile sensations to webpages and does not teach modifying data to effect its visual presentation (see, e.g., Col. 3 lines 42-45, Col. 17 line 20 to Col. 18 line 45). *Wies* does not even mention modifying, by an intermediary apparatus, data for presentation according to detected changes made by editing on a local client, as recited in amended claim 1.

As described in the present application, changes made by a user at a local client used for generating "*customization definitions which are optionally used for other pages*" (see ¶[0076] and also in ¶[0108]). Particularly, the customization definitions generated based on changes the user introduced by editing visual content may be applied to modify a number of different webpages from different servers.

Wies, on the other hand, teaches how to add feel effects to a certain webpage (see, Col. 27 lines 54-62). *Wies*'s feel effects are event driven effects (e.g., Col. 20 lines 8-39, Col. 22 lines 12-33) which require preprocessing of downloaded web pages (see, Col. 27 lines 4-62) for the installment of specific Java applets or ActiveX controls. See also Col. 17 lines 21-24 of *Wies* where "*authored effects are effects particular to a certain web page that is specified or modified by a content developer or other author*". These modules and/or effects are installed for specific webpages and therefore cannot be used as customization definitions suitable to be automatically applied to electronic visual content, which may be originated from various servers, as recited in claim 1.

It is thus respectfully submitted that amended independent Claim 1 is allowable as being novel in the light of *Wies*. Furthermore, it is believed that the dependent claims 2-6, 8-32, 35-42, 48-50 and 52-55, are allowable as being dependent on allowable main claim.

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35 U.S.C. § 103 Rejections

Claims 25-30 and 41-42 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Wies* in view of *Larcheveque* (US 6,161,126, hereinafter "*Larcheveque*").

A. Dependent Claims 25 to 28

Claim 25 recites:

"A method according to claim 23, wherein said expression is an XPath or XPath-like type expression"

Applicant contends, based on the above, that Claims 25-28 are allowable, at least as being dependent on an allowable main claim 1. Applicant further contends that none of the combination of *Wies* and *Larcheveque* does not render obvious Claims 25-28. *Larcheveque* relates to a method for "*reusing markup language fragment information that would otherwise be spread across different markup language fragments*" (see, e.g., ¶[0021]), and describes using XPath expressions for mapping XML elements (see, ¶¶ [0051]-[0058]). There is no reference anywhere in the *Larcheveque* publication to using XPath or XPath-like type expressions to define context elements. *Larcheveque*, as *Wies*, does not teach using customization definitions suitable for automatic applying to visual content, and thus does not require definition of context elements, as recited in claim 25.

Even if one may combine *Wies*'s web page authoring for adding tactile sensations to web pages with *Larcheveque*'s use of XPath expressions for mapping XML elements, this combination does teach or suggest the use of XPath expressions for defining context elements to be used in customization definitions suitable for automatic applying to visual content, as recited in claim 25. For these and other reasons, claim 25 is allowable.

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B. Dependent Claim 29 to 30

Applicant contends, based on the above, that Claims 29 and 30 are allowable, at least as being dependent on an allowable main claim 1.

C. Dependent claims 41 and 42

Applicant contends, based on the above, that Claims 41 and 42 are allowable, at least as being dependent on an allowable main claim 1.

Furthermore, the arguments made above in respect of the non obviousness of claim 25 apply *mutatis mutandis* to dependent claim 41. Based on these arguments, Applicant asserts that dependent claims 41, and claim 42 which is dependent therefrom are allowable claims.

For clarity, Applicants may describe the teachings of *Wies* and *Larcheveque* individually but are traversing the rejection with respect to the combination of these references, *infra*. That is, the Applicants are not attacking the references individually, rather addressing the combinations of references as set forth in the instant Office Action.

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Conclusion

In view of the above amendments and remarks it is respectfully submitted that claims 1-6, 8-32, 35-42, 48-50 and 52-55 are now in condition for allowance. A prompt notice of allowance is respectfully and earnestly solicited.

Respectfully submitted,

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Date: January 19, 2011

Enclosures:

- Petition for Extension (Three Months)
- Request for Continued Examination (RCE)